

ACT 50

S.B. NO. 2475-82

A Bill for an Act Relating to Names.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 574-5, Hawaii Revised Statutes, is amended to read as follows:

**“§574-5 How changed.** It shall not be lawful to change any name adopted or conferred under this chapter, except (1) upon an order of the lieutenant governor which order shall be founded upon a petition executed by the person desirous of changing his or her name, or, in the case of a minor, by the parents or by such parent who has custody of the minor, with the consent of the noncustodial parent, or by the guardian of the person of the minor, which petition shall be accompanied by the payment of filing costs in the amount of \$5, and shall be published once in a newspaper of general circulation in the State in such order mentioned, and the petitioner shall deposit in the office of the lieutenant governor an affidavit executed by an officer of the newspaper publishing the order, the affidavit to show that the order has been published as provided herein, and to have attached thereto a clipping showing the order as published, or (2) by the person desirous of changing his or her name, which petition shall be accompanied by the payment of filing costs in the amount of \$5 and an affidavit executed by a prosecuting attorney of this State, the affidavit to show that for the protection of the person desirous of changing his or her name, the requirement of publication in a newspaper of general circulation in the State, the recordation in the bureau of conveyances, and the report to the registrar of births of such order shall not be necessary, or [(2)] (3) by any court or judge of competent jurisdiction, embodying in a decree of adoption a provision for change of name of the person adopted, or embodying in a decree of divorce a provision that either party may upon the divorce resume the surname used by him or by her prior to the marriage or a surname declared and used during any prior marriage, or [(3)] (4) upon legitimation pursuant to section 338-21.

[The change of name provided for herein by order of the lieutenant governor shall be effective upon the date of the signing of the order.

In all cases of change of name, except as otherwise provided, the order or

decree shall be recorded in the bureau of conveyances and reported to the registrar of births.

All changes of names made by decree of any governor, or by the president of the Republic of Hawaii, or by the president of the Provisional Government of Hawaii, or by any king or queen of the Hawaiian Islands, are ratified and confirmed.]”

SECTION 2. Chapter 574, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§574- Effect of change.** The change of name provided for herein by order of the lieutenant governor shall be effective upon the date of the signing of the order.

In all cases of change of name, except as otherwise provided, the order or decree shall be recorded in the bureau of conveyances and reported to the registrar of births.

All changes of names made by decree of any governor, or by the president of the Republic of Hawaii, or by the president of the Provisional Government of Hawaii, or by any king or queen of the Hawaiian Islands, are ratified and confirmed.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved April 28, 1982.)

**Notes**

1. The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.